

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

CIVIL ACTION NO. 1:14cv0784 (WOB)

JEFF STURGILL, ET AL.

PLAINTIFFS

VS.

ORDER

BEACH AT MASON LIMITED  
PARTNERSHIP, ET AL.

DEFENDANTS

This matter is before the Court on defendant's motion to stay execution of judgment and for waiver of supersedeas bond (Doc. 23) and plaintiff's opposition thereto (Doc. 24).

Defendant's motion states in a conclusory fashion that defendant "will be able to quickly make payment to the Plaintiffs if the decision of this Court is affirmed on appeal" (Doc. 23 at 3), yet defendant has proffered no evidence of its financial health or assets. Rule 62(d) contemplates that a stay of execution of judgment is premised on the posting of a bond to secure the prevailing party's judgment, and defendant has thus provided no basis on which the Court should depart from that rule.

Therefore, having reviewed this matter, and the Court being sufficiently advised,

**IT IS ORDERED** that defendant's motion to stay execution of judgment and for waiver of supersedeas bond (Doc. 23) be, and is

hereby, **DENIED**. Defendant shall post an appropriate bond in order to obtain the requested stay.

This 4th day of January, 2016.



**Signed By:**

**William O. Bertelsman** WOB

**United States District Judge**